

PROB 12C (Rev. 08/18)	<b>VIOLATION REPORT PART 1: AMENDED PETITION FOR EMERGENCY WARRANT</b>			U. S. Probation Office Eastern District of Michigan	PACTS 6448523	DATE <u>05/03/2021</u>
NAME ROCHELEAU, Dustin		OFFICER Natalie Karpac		JUDGE Mark A. Goldsmith		DOCKET # 20-CR-20218-01
ORIGINAL SENTENCE DATE 01/28/2019	SUPERVISION TYPE Supervised Release	CRIMINAL HISTORY CATEGORY III	TOTAL OFFENSE LEVEL 17	<b>PHOTO</b> 		
COMMENCED 04/15/2020						
EXPIRATION 04/14/2023						
ASST. U.S. ATTORNEY Matthew Roth		DEFENSE ATTORNEY To Be Determined				
REPORT PURPOSE  <b><u>AMENDED VIOLATIONS TO EMERGENCY PETITION FILED ON APRIL 29, 2021. PLEASE NOTE THAT AMENDED INFORMATION IS UNDERLINED.</u></b>						
ORIGINAL OFFENSE  Count 1: 18 U.S.C. § 922(g)(1), Felon in Possession of a Firearm and Ammunition						
SENTENCE DISPOSITION  Custody of the Bureau of Prisons for a term of 24 months, to be followed by a three-year term of supervised release.						
Name of Sentencing Judicial Officer: Honorable Clark Waddoups, District of Utah. Jurisdiction accepted by the Honorable Mark A. Goldsmith on May 7, 2020.						
ORIGINAL SPECIAL CONDITIONS						
<ol style="list-style-type: none"> <li>1. You must not have any contact with any member or associate of a criminal street gang/prison gang either in person, by mail, by phone, by e-mail, but third person, or by any other method.</li> <li>2. You must not possess material which gives evidence of criminal street gang/prison gang involvement or activity.</li> <li>3. You must not receive any new tattoos associated with a criminal street gang/prison gang.</li> <li>4. You must submit to drug/alcohol testing, as directed by the U.S. Probation Office.</li> <li>5. You must participate in and successfully complete a substance-abuse evaluation and/or treatment, under a copayment plan, as directed by the U.S. Probation Office. During the course of treatment, you must not consume alcohol, nor frequent any establishment where alcohol is the chief item of order.</li> </ol>						
Criminal Monetary Penalty: Special Assessment \$100.00 (balance \$75.00).						

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The probation officer believes that the offender has violated the following conditions of Supervised Release:

VIOLATION NUMBER	NATURE OF NONCOMPLIANCE
1	<p><b><u>Violation of Mandatory Condition:</u></b> "YOU MUST NOT COMMIT ANOTHER FEDERAL, STATE OR LOCAL CRIME."</p> <p>On April 28, 2021, ROCHELEAU was arrested by the Livonia (Michigan) Police Department for felonious assault with a gun.</p> <p><u>ROCHELEAU is employed at a Burger King in Livonia, Michigan. According to the Livonia (Michigan) Police report, on April 28, 2021 at approximately 10:00 p.m., three patrons came through the Burger King drive-through. They ordered at the speaker and then wanted to split payment at the window. ROCHELEAU was working the window and became upset by how the three patrons wanted to pay. He handed cash back to the driver of the vehicle and told the patrons they wouldn't be served and that they needed to leave. After the patrons did not leave, ROCHELAU reportedly said, "You think I'm playing?" and drew a handgun from his waistband. The person under supervision pulled the slide back (although it jammed) and pointed it at the patrons. They fled away and called the police.</u></p> <p><u>When police arrived, they were told by other Burger King employees that ROCHELEAU had left on foot about 10 minutes prior. Police were dispatched to 19427 St. Francis in Livonia, Michigan (which is ROCHELEAU's previous residence) and spotted a subject matching his description just down the street. The person under supervision complied with officers' commands to come towards them and was arrested without incident. ROCHELEAU made a few excited utterances, telling officers that there were drugs and a gun in his backpack.</u></p> <p><u>A SCCY CPX-2 9mm handgun (with six rounds), marijuana, marijuana edibles, marijuana cartridges, and digital scales were recovered from bags that ROCHELEAU was carrying at the time of his arrest. Also, a loose 9mm round was recovered from ROCHELEAU's person.</u></p> <p><u>After the person under supervision was arrested, he told police that he placed the gun to his head after the incident at Burger King and planned on taking his life that night. Police also spoke to ROCHELAU's cousin who stated that ROCHELAU had texted her and said he was going to kill himself. Because of the person under supervision's mental state, he was transported to St. Mary's Mercy Hospital in Livonia, Michigan, for admittance to the psychiatric unit.</u></p> <p><u>On April 30, 2021, this writer spoke to the Wayne County (Michigan) Prosecutor's Office and learned that ROCHELEAU has been charged with three counts of Felonious Assault, three counts of Weapons-Felony Firearm, one count of Weapons-Possession by Felon, and one count of Weapons-Felony Firearm. He will also likely be charged as a habitual offender.</u></p>

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**2      Violation of Mandatory Condition:    "YOU MUST NOT UNLAWFULLY POSSESS A CONTROLLED SUBSTANCE."**

On April 28, 2021, ROCHELEAU was arrested by the Livonia (Michigan) Police Department. During a person and property search subsequent to his arrest, police recovered over 100 marijuana edibles, large jars of marijuana, bags of marijuana, marijuana cartridges, and digital scales. Although the person under supervision has not been charged with new drug crimes, he was advised by this writer on April 20, 2020, that marijuana remains illegal under federal law and therefore, he could not use or possess it during supervised release.

**3      Violation of Standard Condition No. 10: "YOU MUST NOT OWN, POSSESS, OR HAVE ACCESS TO A FIREARM, AMMUNITION, DESTRUCTIVE DEVICE, OR DANGEROUS WEAPON."**

On April 28, 2021, ROCHELEAU possessed a firearm and ammunition. He then attempted to use the firearm on patrons at his place of employment.

I declare under penalty of perjury that the foregoing is true and correct. PROBATION OFFICER  s/Natalie Karpac/jmg 313-234-5440	DISTRIBUTION  Court
SUPERVISING PROBATION OFFICER  s/Ann R. Smith 734-741-2076	PROBATION ROUTING  Data Entry

**THE COURT ORDERS:**

The above charges as an amendment to the emergency warrant filed on April 29, 2021.

Other

s/ Mark A. Goldsmith  
United States District Judge

5/3/2021  
Date